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David L. Meier
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May 21, 1996

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

**Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D. C. 20554**

DOCKET FILE COPY ORIGINAL

In the Matter of:

**Administration of the North American
Numbering Plan**

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CC Docket No. 92-237

Dear Mr. Caton:

Enclosed are an original and eleven copies of the Further Comments of Cincinnati Bell Telephone in the above referenced proceeding. A duplicate original copy of this letter and attached Further Comments is also provided. Please date stamp this as acknowledgment of its receipt and return it. Questions regarding these Further Comments may be directed to me at the above address or by telephone on (513) 397-1393.

Sincerely,

David L. Meier

David L. Meier

Enclosures

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

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OFFICE OF SECRETARY

In the Matter of

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American Numbering Plan

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CC Docket No. 92-237

FURTHER COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY

Cincinnati Bell Telephone Company ("CBT"), an independent, mid-size local exchange carrier, submits these comments in response to the Commission's Public Notice (DA 96-678), released April 30, 1996 in the above-captioned proceeding. The Public Notice seeks comment on the appropriate length of the transition period to expand Feature Group D (FGD) carrier identification codes (CICs) from three to four digits. As further explained herein, CBT recommends that the transition period be limited to one year from the date the Telecommunications Act of 1996 (the "1996 Act") was enacted.

Introduction

Previously in this docket, the Commission tentatively concluded that the transition period to expand from exclusively three digit CICs to the new four digit CICs should last six years.¹ Since the Commission reached that tentative conclusion, the assignment of exclusively four digit CICs has started and, thus, the transition period has begun. During the transition period, both

¹ Administration of the North American Numbering Plan, CC Docket No. 92-237, Notice of Proposed Rulemaking, (the "NPRM"), released April 4, 1994, at para. 54.

three and four digit CICs are to be recognized. In its comments filed in response to the Commission's April 4, 1994 NPRM in this proceeding, CBT took no position on the appropriate length of the transition period. Since the closing of the pleading cycle on the NPRM, there has been an unexpected increase in the demand for CICs. The increased demand to date is due to new uses for the codes recently identified as available by the industry. In addition, the Commission anticipates a further increase in demand for CICs as the number of new carriers entering the market increases as a result of the 1996 Act. These recent events have prompted the Commission to revisit the issue of the appropriate length of the transition period. In light of the Commission's request for further comment on this issue, CBT takes this opportunity to state its position.

In light of the 1996 Act, a six-year transition period is unreasonably long.

A longer transition period during which both three and four digit CICs are recognized clearly benefits carriers using three digit codes and discriminates against carriers using four digit codes. This is discriminatory against carriers who must require their customers to dial four digit CICs.² This also is inconsistent with the intent of various provisions of the 1996 Act which seek to create a truly competitive marketplace by eliminating such discrimination and requiring regulations, where necessary, to be imposed on a competitively neutral basis. More specifically, CBT believes Section 251(b)(3) of the 1996 Act, which addresses dialing parity, can be

² For years, the industry has strived for equal access capabilities, which CBT has achieved. An unreasonably long transition period would again create another non-uniform dialing pattern. Due to the inconvenience and customer confusion associated with dialing additional digits, carriers who are required to use four digit CICs are faced with an unfair marketing disadvantage.

interpreted as requiring nondiscrimination in the dialing of CICs. Accordingly, CBT believes the 1996 Act provides a clear mandate to the Commission to eliminate discrimination, such as that caused by the subject transition period, as soon as possible.

CBT recommends that the transition period be limited to one year from the date the 1996 Act was enacted.

CBT acknowledges that some transition period is required for the conversion to four digit CICs. However, CBT submits that the industry has already had in excess of one year to begin making the conversion. Limiting the transition period to a maximum of one additional year would be reasonable considering the requirements of the 1996 Act relative to nondiscriminatory treatment and the relatively short time frames provided for implementing other provisions of the 1996 Act.

By analogy, the Industry Numbering Committee Inc. recommends that the permissive dialing period for new area code conversions be limited to one year.³ In practice, CBT is not aware of any area code conversion which required a full year to implement. The conversion to four digit CICs should not require more than one year.

³ Numbering Plan Area Code Relief Guidelines, INC 94-1216-004.

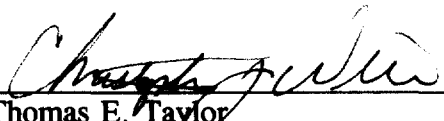
Conclusion

For the foregoing reasons, CBT submits that the existing transition period is unreasonably long in light of its discriminatory impact. Accordingly, the Commission should limit the transition period to one year from the date the 1996 Act was enacted.

Respectfully submitted,

FROST & JACOBS

By



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing **Further Comments of Cincinnati Bell Telephone Company** have been delivered by first class United States Mail, postage prepaid, on May 21, 1996, to the persons on the attached service list.


Amy K. Collins

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